Bill

Received: 09/09/2011				Received By: tdodge				
Wanted: As time permits				Companion to LRB: -2211				
For: Frank Lasee (608) 266-3512				By/Representing: Robert Kovach				
May Contact:					Drafter: tdodge			
Subject: Mental Health - detent/commit				Addl. Drafters:				
					Extra Copies:			
Submit vi	a email: YES							
Requester	's email:	Sen.Lasee@	egis.wiscon	nsin.gov				
Carbon co	Carbon copy (CC:) to: tamara.dodge@legis.wisconsin.gov							
Pre Topic	e:							
No specif	ic pre topic gi	ven						
Topic:								
Municipa	l law enforcen	nent investigation	ons under em	ergency me	ntal health detention	ons		
Instructi	ons:	4.700						
See attach	ned. Companio	on draft.						
Drafting	History:							
Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	Jacketed	Required	
/?	tdodge 09/09/2011	kfollett 09/09/2011					Local	
/1	tdodge 10/28/2011	kfollett 10/28/2011	phenry 09/09/2011		sbasford 09/09/2011		Local	
/2			rschluet 10/28/2011		ggodwin 10/28/2011	lparisi 12/07/2011		

rschluet \_\_\_\_\_\_\_

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								May Contact:					Drafter: tdodge			
								Subject: Mental Health - detent/comm			nt/commit		Addl. Drafters:			
		Extra Copies:														
Submit	via email: <b>YES</b>															
Request	er's email:	Sen.Lasee	@legis.wisco	nsin.gov												
Carbon	copy (CC:) to:	tamara.do	dge@legis.w	isconsin.go	v											
Pre Top	pic:		CO. D. C.													
No spec	cific pre topic gi	ven														
Topic:																
Municip	pal law enforcer	nent investigati	ons under en	nergency me	ntal health detenti	ons										
Instruc	etions:		·····													
See atta	ched. Companio	on draft.														
Draftin	g History:						,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,									
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required									
/?	tdodge 09/09/2011	kfollett 09/09/2011					Local									
/1	tdodge 10/28/2011	kfollett 10/28/2011	phenry 09/09/201	1	sbasford 09/09/2011		Local									
/2			rschluet 10/28/201	1	ggodwin 10/28/2011											

FE Sent For:

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Requeste	er's email:	Sen.Lasee@	@legis.wisc	onsin.gov													
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Pre Top	ic:																
No speci	ific pre topic gi	ven															
Topic:																	
Municip	al law enforcer	nent investigati	ons under e	mergency me	ental health detenti	ions											
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Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required										
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/1		12/if	phenry 09/09/20	11	sbasford 09/09/2011												

<END>

Bill

Received: 09/09/2011

Received By: tdodge

Wanted: As time permits

Companion to LRB: -2211

For: Frank Lasee (608) 266-3512

By/Representing: Robert Kovach

May Contact:

Drafter: tdodge
Mental Health - detent/commit

Subject:

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email:

Sen.Lasee@legis.wisconsin.gov

Carbon copy (CC:) to:

tamara.dodge@legis.wisconsin.gov

**Pre Topic:** 

No specific pre topic given

Topic:

Municipal law enforcement investigations under emergency mental health detentions

**Instructions:** 

See attached. Companion draft.

**Drafting History:** 

Vers.

Drafted

Reviewed

Typed Pr

Proofed

Submitted

Jacketed

Required

/?

tdodge

FE Sent For:

<END:

### Dodge, Tamara

From:

Ruby, Erin

Sent:

Friday, September 09, 2011 10:04 AM

To: Cc: Dodge, Tamara Kovach, Robert

Subject:

LRB 2211/2

Tami,

Just a quick note to let you know that Robert Kovach will be in touch with you in short order to request a companion draft to LRB 2211/2. You have Rep. Ott's permission to discuss the draft with him and to go ahead with a companion.

Thank you very much! Have a great weekend!

Erin

Erin Ruby Research Assistant Office of State Representative Al Ott 608.266.5831

erin.ruby@legis.wi.gov

law enforcement investigations for emergency detentions



## State of Misconsin 2011 - 2012 LEGISLATURE

In: 9/9/11 Soor

LRB-(2211/2)
TJD:kjf:ph

**2011 BILL** 

Comparison -

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(lezen)

AN ACT to create 51.15 (7m) of the statutes; relating to: law enforcement

investigations for emergency detention.

### Analysis by the Legislative Reference Bureau

Under current law, a law enforcement officer or certain other individual may take a person into custody if the officer or other individual has cause to believe that the person is mentally ill, drug dependent, or developmentally disabled and the person shows one of the following: a substantial probability of physical harm to himself or herself; a substantial probability of physical harm to other persons; evidence that others are placed in reasonable fear of violent behavior and serious physical harm; a substantial probability of physical impairment or injury to himself or herself due to impaired judgment; or behavior manifested by a recent act or omission that, due to mental illness or drug dependency, he or she is unable to satisfy basic needs of nourishment, medical care, shelter, or safety without prompt and adequate treatment so that a substantial probability exists that death, serious physical injury, serious physical debilitation, or serious physical disease is imminent without intervention. The law enforcement officer or certain other individual must provide a statement with details of the recent act, attempt, threat, or omission on which the belief that the individual must be taken into custody is based.

This bill allows a law enforcement agency of a city, town, or village in which a person was taken into custody to request the law enforcement agency of the city, town, or village in which the person in custody committed the act, attempt, threat, or omission to investigate the act, attempt, threat, or omission occurred in a city, town, or village that is different than the one

### BILL

in which the person was taken into custody. The bill also requires the law enforcement agency in the city, town, or village in which the act, attempt, threat, or omission occurred to comply with a request to investigate and to submit a report of the investigation to the law enforcement agency for the city, town, or village in which the person was taken into custody.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

# The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**Section 1.** 51.15 (7m) of the statutes is created to read:

- 51.15 **(7m)** Law enforcement investigations. (a) In this subsection, "municipality" means a city, village, or town.
- (b) If the act, attempt, threat, or omission under sub. (1) (a) occurred in a municipality in this state other than the municipality in which the individual was taken into custody, the law enforcement agency for the municipality in which the individual was taken into custody may request the law enforcement agency for the municipality in which the act, attempt, threat, or omission occurred to investigate the act, attempt, threat, or omission.
- (c) The law enforcement agency for the municipality in which the act, attempt, threat, or omission under sub. (1) (a) occurred shall comply with a request to investigate under par. (b) and shall submit a report of the investigation to the law enforcement agency for the municipality in which the individual was taken into custody.

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# State of Misconsin 2011 - 2012 LEGISLATURE



### **2011 BILL**

AN ACT to create 51.15 (7m) of the statutes; relating to: law enforcement

investigations for emergency detention.

### Analysis by the Legislative Reference Bureau

Under current law, a law enforcement officer or certain other individual may take a person into custody if the officer or other individual has cause to believe that the person is mentally ill, drug dependent, or developmentally disabled and the person shows one of the following: a substantial probability of physical harm to himself or herself; a substantial probability of physical harm to other persons; evidence that others are placed in reasonable fear of violent behavior and serious physical harm; a substantial probability of physical impairment or injury to himself or herself due to impaired judgment; or behavior manifested by a recent act or omission that, due to mental illness or drug dependency, he or she is unable to satisfy basic needs of nourishment, medical care, shelter, or safety without prompt and adequate treatment so that a substantial probability exists that death, serious physical injury, serious physical debilitation, or serious physical disease is imminent without intervention. The law enforcement officer or certain other individual must provide a statement with details of the recent act, attempt, threat, or omission on which the belief that the individual must be taken into custody is based.

This bill allows a law enforcement agency of a city, town, or village in which a person was taken into custody to request the law enforcement agency of the city, town, or village in which the person in custody committed the act, attempt, threat, or omission to investigate the act, attempt, threat, or omission, if the act, attempt, threat, or omission occurred in a city, town, or village that is different than the one

### BILL

in which the person was taken into custody. The bill also requires the law enforcement agency in the city, town, or village in which the act, attempt, threat, or omission occurred to comply with a request to investigate and to submit a report of the investigation to the law enforcement agency for the city, town, or village in which the person was taken into custody.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

# The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**Section 1.** 51.15 (7m) of the statutes is created to read:

- 51.15 (7m) LAW ENFORCEMENT INVESTIGATIONS. (a) In this subsection, "municipality" means a city, village, or town.
- (b) If the act, attempt, threat, or omission under sub. (1) (a) occurred in a municipality in this state other than the municipality in which the individual was taken into custody, the law enforcement agency for the municipality in which the individual was taken into custody may request the law enforcement agency for the municipality in which the act, attempt, threat, or omission occurred to investigate the act, attempt, threat, or omission.
- (c) The law enforcement agency for the municipality in which the act, attempt, threat, or omission under sub. (1) (a) occurred shall comply with a request to investigate under par. (b) and shall submit a report of the investigation to the law enforcement agency for the municipality in which the individual was taken into custody.

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State of Misconsin 2011 - 2012 LEGISLATURE

In: 10/28

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**2011 BILL** 

LRB-**221**1/4 TJD:kjf:jf

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(Rugh)

AN ACT to create 51.15 (7m) of the statutes; relating to: law enforcement

investigation, initiation, and completion of emergency detention.

### Analysis by the Legislative Reference Bureau

Under current law, a law enforcement officer or certain other individual may take a person into custody if the officer or other individual has cause to believe that the person is mentally ill, drug dependent, or developmentally disabled and the person shows one of the following: a substantial probability of physical harm to himself or herself; a substantial probability of physical harm to other persons; evidence that others are placed in reasonable fear of violent behavior and serious physical harm; a substantial probability of physical impairment or injury to himself or herself due to impaired judgment; or behavior manifested by a recent act or omission that, due to mental illness or drug dependency, he or she is unable to satisfy basic needs of nourishment, medical care, shelter, or safety without prompt and adequate treatment so that a substantial probability exists that death, serious physical injury, serious physical debilitation, or serious physical disease is imminent without intervention. The law enforcement officer or certain other individual must provide a statement with details of the recent act, attempt, threat, or omission on which the belief that the individual must be taken into custody is based.

This bill allows a law enforcement agency of a jurisdiction in which a person was taken into custody to request the law enforcement agency of the jurisdiction in which the person in custody committed the act, attempt, threat, or omission to investigate the act, attempt, threat, or omission and initiate and complete the emergency detention, if the act, attempt, threat, or omission occurred in a jurisdiction that is

### BILL

different than the one in which the person was taken into custody. The bill also requires the law enforcement agency in the jurisdiction in which the act, attempt, threat, or omission occurred to comply with a request to investigate, initiate, and complete the emergency detention.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

# The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**Section 1.** 51.15 (7m) of the statutes is created to read:

51.15 (7m) LAW ENFORCEMENT INVESTIGATIONS. (a) In this subsection:

- 1. "Jurisdiction" means a location over which a law enforcement agency has territorial jurisdiction.
- 2. "Law enforcement agency" means an entity that employs a peace officer, as defined in s. 939.22 (22).
- (b) If the act, attempt, threat, or omission under sub. (1) (a) occurred in a jurisdiction in this state other than the jurisdiction in which the individual was taken into custody, the law enforcement agency for the jurisdiction in which the individual was taken into custody may request the law enforcement agency for the jurisdiction in which the act, attempt, threat, or omission occurred to investigate the act, attempt, threat, or omission and initiate and complete the emergency detention procedure under this section.
- (c) The law enforcement agency for the jurisdiction in which the act, attempt, threat, or omission under sub. (1) (a) occurred shall comply without undue delay with a request under par. (b) to investigate, initiate, and complete the emergency detention procedure under this section.

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### Parisi, Lori

From:

Kovach, Robert

Sent:

Wednesday, December 07, 2011 11:15 AM

To:

LRB.Legal

Subject: Another Senate bill for Sen. Lasee

Please Jacket LRB 2853 for the Senate. (this time I know I'm requesting our bill) ©

Rob Kovach Chief of Staff Office of State Senator Frank Lasee 608-266-3512